The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MARCH 24, 2022.

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JOURNAL OF THE HOUSE.

Thursday, March 24, 2022.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Silent Tribute.

At the request of Representative Ferrante of Gloucester, the members, guests and employees stood in a moment of silent tribute in respect to the memory of Michael Linquata. Linquata was born and educated in Gloucester, having graduated from the new Gloucester High School in 1944 after 3½ years so he could go into the service. After being turned down by the Navy, he enlisted with the Army and trained to become a combat medic. Linquata was then dispatched from the U.S. to northern France, Belgium, and the front as a medic in the Army's 134th Combat Infantry. Once at the front, he first served as part of a crew working at a makeshift hospital set up in a Belgian garage.

On January 4th, 1945, Linquata was accompanying an advancing battalion that came under heavy mortar fire, which left several Americans dead and 20 more wounded. Without the resources to treat all the wounded, and no help available, Linquata took a poll of the troops, who agreed to surrender themselves to the Germans if it meant saving their wounded comrades. Linquata approached two German tanks, indicating that he was a medic and that he had wounded men nearby, and the Germans provided Linquata and his men with the help they needed. He would then be held at a nearby prisoner of war camp under terrible conditions for more than three months, losing half his body weight, before Army troops liberated him and others in the war's final days. For his service, Linquata received four Bronze Stars, the French Legion of Honor, and a Presidential Unit Citation.

When he returned to Gloucester as a civilian, he attended Suffolk University where he became president of his class and later a longtime trustee. He married Lillian Rose Ciulla on February 17, 1952, and spent 70 loving years together with her until she passed away late last month. Linquata and his father established the Gloucester House restaurant in 1957, which continues to be run to this day by Linquata's son and daughter-in-law, Lenny and Dottie Linquata. He was the driving force behind establishing Gloucester's World War II Memorial, and the Gloucester House was frequently a host to fundraisers to benefit charitable causes in the community.

Michael Linquata is survived by his children Lenny, Larry, Michael, and Anne, several grandchildren, and a legacy of service to his country and community.

Statement.

Michael Linquata.

A statement of Ms. Peisch of Wellesley was spread upon the records of the House as follows:

MR. SPEAKER: I would like to call to the attention of the House that I was unable to participate in the formal session on Thursday, March 17, 2022.

Had I been present for roll calls numbered 157, 158 and 159, I would have voted in the affirmative, in each instance.

Statement of Ms. Peisch of Wellesley.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Balser of Newton) commemorating the seventy-fourth anniversary of the founding of the state of Israel;

Resolutions (filed by Mr. Philips of Sharon) congratulating Jason Godfrey on earning the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Soter of Bellingham) recognizing the designation of the town of Blackstone as a Purple Heart community.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of the same member, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Israel,— 74th anniversary.

Jason Godfrey.

Blackstone,— Purple Heart community.

Reports.

Annual Reports

Of the Multi-Agency Illegal Tobacco Task Force (under Section 40(d) of Chapter 64C of the General Laws) submitting its fiscal year 2022 annual report relative to the coordination of efforts to combat contraband tobacco distribution, including efforts to foster compliance with the law and conduct targeted investigations and enforcement actions;

Multi-Agency Illegal Tobacco Task Force.

Innovation

Voucher Fund

Of the Massachusetts Finance Agency (MassDevelopment) (under Section 45C of Chapter 75 of the General Laws) submitting the fourth annual report of the Innovation Voucher Program Fund;

Of the Northwestern District Attorney's Office (under Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for calendar year 2021; and

Program.

Northwestern

District Attorney,—

Of the Office of the Inspector General (under Section 86 of Chapter 227 of the Acts of 2020) submitting a report entitled: MassHealth and Health Safety Net: 2022 Annual Report;

MassHealth and Health Safety Net.

wiretaps.

Reports

Of the Department of Transitional Assistance (under Sections 2 and 5I of Chapter 18 of the General Laws) submitting a report entitled: Consolidated Report on the Department of Transitional Assistance Program Integrity Division [copies of said report were forwarded to the committee on House Ways and Means and the committee on Children, Families and Persons with Disabilities, as required by said law];

Transitional Assistance,—program.

Of the Office of the Secretary of the Commonwealth (under Section 6A of Chapter 66 of the General Laws) submitting a report regarding public records requests for calendar year 2020; and

Public records.

Of the Department of Unemployment Assistance (under Section 22 of Chapter 22 of the Acts of 2022) submitting Unemployment Assistance Overpayments data for calendar years 2020 and 2021;

Severally were placed on file.

Unemployment,—overpayments.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Cahill of Lynn, a petition (accompanied by bill, House, No. 4623) of Daniel Cahill and Brendan P. Crighton (with the approval of the mayor and city council) that the city of Lynn be authorized to amend the charter of said city;

By the same member, a petition (accompanied by bill, House, No. 4624) of Daniel Cahill and Brendan P. Crighton (with the approval of the mayor and city council) that the city of Lynn be authorized to remove residency requirements for the board of trustees of the Grand Army Building in said city;

By the same member, a petition (accompanied by bill, House, No. 4625) of Daniel Cahill and Brendan P. Crighton (with the approval of the mayor and city council) that the city of Lynn be authorized to remove residency requirements for members of the traffic commission in said city;

By the same member, a petition (accompanied by bill, House, No. 4626) of Daniel Cahill and Brendan P. Crighton (with the approval of the mayor and city council) that the city of Lynn be authorized to remove residency requirements for members of the water and sewer commission in said city; and

By Representative Pignatelli of Lenox and Senator Hinds, a joint petition (accompanied by bill, House, No. 4627) of Smitty Pignatelli and Adam G. Hinds (by vote of the town) that the town of Stockbridge be authorized to transfer original documents to the Stockbridge-Munsee Community of the Mohican Nation.

Severally to the committee on Municipalities and Regional Government. Severally sent to the Senate for concurrence.

Papers from the Senate.

The House Bill authorizing the conservation commission of the town of Westford to transfer certain easements to the select board of the town of Westford (House, No. 4432), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2777; and striking out the emergency preamble. The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

A Bill making certain provisions for the municipal election in the town of Hingham (printed in Senate, No. 2775) (on a message from the Governor), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Honan of Boston, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Ms. Meschino of Hull, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of Ms. Giannino of Revere, the bill (having been reported by the committee on Bills in the Third

Lynn,— city charter.

Lynn,— Grand Army Building.

Lynn, traffic commission.

Lynn, water and sewer commission.

Stockbridge,— Mohican Nation documents.

Westford,—land.

Hingham,—elections.

Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until May 5, 2022 within which time to make its final report on current Senate documents numbered 1540, 1541, 1542, 1550, 1552, 1555, 1559, 1560, 1571, 1573, 1578, 1579, 1580, 1591, 1592, 1594, 1595, 1599, 1601, 1609, 1615, 1625, 1629, 1631, 1633, 1638, 1641, 2125, 2457 and 2619, relative to public safety and homeland security.

Under suspension of the rules, on motion of Mr. Galvin of Canton, the order (Senate, No. 2652) was considered forthwith; and it was adopted, in concurrence.

Public Safety and Homeland Security committee, extension of time for reporting.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Patricia A. Haddad that elected members of the Swansea board of water commissioners shall not be eligible for medical, dental, or life insurance coverage; and

Petition (accompanied by bill) of Patricia A. Haddad for legislation to further regulate the election and term of the Swansea Water District commissioner;

Severally to the committee on Municipalities and Regional Government.

Petition (accompanied by bill) of Sarah K. Peake and Julian Cyr for legislation to establish a sick leave bank for Josalyn Gibson, an employee of the Department of Developmental Services;

Petition (accompanied by bill) of Sarah K. Peake (with the approval of the county commissioners) that Adrian Peters be authorized to purchase creditable service from the Barnstable county retirement board; and

Petition (accompanied by bill) of Chynah Tyler for legislation to authorize the State Board of Retirement to grant Bernard Wheeler, an employee of the Boston Municipal Court, an additional retirement benefit of four years of creditable service;

Severally to the committee on Public Service.

Petition (accompanied by bill) of Daniel Cahill for legislation to further regulate provisions in state procurement contracts involving the use of low embodied carbon concrete. To the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Ms. Meschino of Hull, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Report of the committee on State Administration and Regulatory Oversight, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4366) of Paul J. Donato, Steven Ultrino and Kate Lipper-Garabedian that the Commissioner of the Division of Capital Asset Management and Maintenance be authorized to convey certain property in the city of Malden to said city. Under suspension of the rules, on a motion of Mr. Cabral of New Bedford, the report was

Swansea, water commissioners.

Id.

Josalyn Gibson, sick leave.

Adrian
Peters,—
creditable service.

Bernard Wheeler, creditable service.

Carbon concrete,—procurement.

Malden,—land.

considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

Report of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4451) of Shawn Dooley (by vote of the town) that the deputy police chief of the town of Wrentham be exempt from the civil service law. Under suspension of the rules, on a motion of Mr. Gordon of Bedford, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

Wrentham,—civil service.

Report of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4452) of Shawn Dooley (by vote of the town) that the police chief of the town of Wrentham be exempt from the civil service law. Under suspension of the rules, on a motion of Mr. Gordon of Bedford, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

Id.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill relative to raising the income threshold for senior real property tax deferments in the town of Milton (Senate, No. 2526) [Local Approval Received]; and

Milton, property tax deferments.

House bills

Relative to motor vehicle service contracts (House, No. 1065);

Designating historic routes (House, No. 3496); and

Promoting housing opportunity and mobility through eviction sealing (HOMES) (House, No. 4505);

Vehicle contracts. Historic routes. Housing, evictions.

Under suspension of Rule 7A, in each instance, on motion of Ms. Giannino of Revere, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Donahue of Worcester, for the committee on Cannabis Policy, on House, No. 173, a Bill relative to vertical integration of medical marijuana businesses (House, No. 4546).

Medical marijuana businesses.

By the same member, for the same committee, on House, No. 179, a Bill further defining eligibility for medical use marijuana (House, No. 4547).

Medical marijuana eligibility.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to cosmetic labeling (House, No. 451, changed in line 2, by striking out the figures: "237" and inserting in place thereof the figures: "245").

Cosmetic labeling.

By Mr. González of Springfield, for the committee on Public Safety and Homeland Security, on a petition, a Bill, to establish the Massachusetts prisoner bone marrow donation program (House, No. 2468).

Prisoners, bone marrow donations.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

Municipal roads and bridges.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a message from His Excellency the Governor, a Bill financing improvements to municipal roads and bridges (printed in House, No. 4358). Referred, under Joint Rule 1F, to the committee on Bonding, Capital Expenditures and State Assets.

By Mr. González of Springfield, for the committee on Public Safety and Homeland Security, on a petition, a Resolve relative to police career pay incentives (House, No. 2548). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Police, pay incentives.

By Mr. Finn of West Springfield, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to provide notice to counsel of changes in a child's or a young adult's placement and other events (House, No. 253, changed in section 1, in line 4, by striking out the word "five", and in line 5, by striking out the word "one", and inserting in place thereof, in each instance, the figure: "2").

Children and young adult,—placement.

By Mr. Parisella of Beverly, for the committee on Economic Development and Emerging Technologies, on House, No. 527, a Bill relative to transformative development initiatives in rural communities (House, No. 4548).

Rural development initiatives.

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 127, 579 and 585, a Bill relative to student and educator data privacy (House, No. 127).

Schools,—data privacy.

By the same member, for the same committee, on a petition, a Bill relative to non-public school student access to the MCAS exam (House, No. 629).

MCAS exams,—access.

By the same member, for the same committee, on House, Nos. 547, 580, 638 and 674, a Bill relative to student transportation (House, No. 674).

Students, transportation.

By the same member, for the same committee, on a petition, a Bill relative to increasing access for vulnerable students (House, No. 676).

Charter schools,—access.

By Ms. Domb of Amherst, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill to establish a grant program for low noise, low emissions landscape maintenance equipment (House, No. 868).

Mowers, noise and emissions.

sBy the same member, for the same committee, on a petition, a Bill requiring reserve electric power at wastewater treatment facilities (House, No. 880).

Wastewater facilities.

By the same member, for the same committee, on Senate, No. 529 and House, No. 897, a Bill protecting water systems through the labeling of flushable wipes (House, No. 897).

Flushable wipes.

By the same member, for the same committee, on a petition, a Bill relative to flood storage (House, No. 919).

Alewife Brook watershed.

By the same member, for the same committee, on Senate, No. 506 and House, No. 933, a Bill relative to the disposal of sea mammals on metropolitan beaches (House, No. 933).

Beaches, sea mammals.

By the same member, for the same committee, on a petition, a Bill relative to requiring the sealing of containers transporting solid waste (House, No. 935).

Solid waste containers.

By the same member, for the same committee, on Senate, No. 526 and House, No. 940, a Bill expanding the sale of products by farmer breweries and pub brewers (House, No. 940).

Farmer breweries.

By the same member, for the same committee, on Senate, No. 595 and House, No. 949, a Bill protecting dogs at boarding kennels and daycare facilities (House, No. 949).

Dogs, boarding kennels.

By the same member, for the same committee, on Senate, No. 584 and House, No. 966, a Bill concerning the use of animals in product testing (House, No. 966).

Animals,— product testing.

By the same member, for the same committee, on Senate, No. 536 and House, Nos. 991 and 1024, a Bill relative to the use of crossbows in hunting (House, No. 991).

Hunting,—crossbows.

By the same member, for the same committee, on a petition, a Bill relative to boater safety to be known as the David Hanson Act (House, No. 3785).

Boater safety.

By the same member, for the same committee, on a petition, a Bill improving drinking water quality (House, No. 4090).

By Mr. Murphy of Weymouth, for the committee on Financial Services, on House, No. 1166, a Bill relative to the regulation of the business of domestic and foreign money transmission by the Division of Banks (House, No. 4550).

By Mr. Rogers of Cambridge, for the committee on Higher Education, on House, Nos. 1338 and 1349, a Bill relative to advanced placement examinations (House, No. 4551).

By the same member, for the same committee, on House, No. 1347, a Bill ensuring students' access to academic transcripts (House, No. 4552).

By Mr. Arciero of Westford, for the committee on Housing, on a petition, a Bill to establish an apprenticeship program to ready vacant public housing apartments for occupancy (House, No. 1408, changed in section 1, in line 10, by inserting after the word "authorities," the words "the Massachusetts Building Trades Council,").

By Mr. Cutler of Pembroke, for the committee on Labor and Workforce Development, on a petition, a Bill clarifying the prevailing wage law (printed as Senate, No. 1162).

By Mr. González of Springfield, for the committee on Public Safety and Homeland Security, on a petition, a Bill to promote business continuity and recovery after a disaster (printed as Senate, No. 1639).

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on House, No. 34 and on a part of House, No. 25, a Bill relative to SMART Plan budgets (House, No. 34).

By the same member, for the same committee, on a petition, a Bill to preserve early education support for families (House, No. 3104)

By the same member, for the same committee, on a petition, a Bill relative to global positioning system technology and public employees (House, No. 3114).

By the same member, for the same committee, on a petition, a Bill establishing gender neutral bathrooms (House, No. 3124).

By the same member, for the same committee, on a joint petition, a Bill to waive chargebacks on state grants, federal grant awards, federal subgrants and subsidies for the Dukes County Sheriff's Regional Emergency Communication Center (House, No. 3141).

By the same member, for the same committee, on a petition, a Bill establishing the Executive Office of Food Resources and Security (House, No. 3144).

By the same member, for the same committee, on House, Nos. 3174 and 3176, a Bill relative to timely decisions by awarding authorities (House, No. 3174).

By the same member, for the same committee, on a petition, a Bill relative to online posting of CMRs (House, No. 3180).

By the same member, for the same committee, on a petition, a Bill enhancing the effectiveness of nonprofits' core mission work through full cost funding (House, No. 3241).

By the same member, for the same committee, on a petition, a Bill relative to green building materials (House, No. 4182).

By the same member, for the same committee, on a joint petition, a Bill authorizing the Commonwealth to convey certain land in the city of Boston (House, No. 4317).

By Mr. Roy of Franklin, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill relative to transparency in private utility construction contracts (House, No. 3280).

Drinking water,—quality.

Division of Banks,—
regulation.

Advanced placement examinations.

Academic transcripts.

Public housing,—apprenticeship.

Prevailing wage law.

Disasters,—business continuity.

SMART plan budgets.

Childcare,—contracts.

Public employees.

Bathrooms,—gender neutral.

Dukes County Sheriff, chargebacks.

Food and security.

Awarding authorities.

Regulations,—online posting.

Nonprofits,—core mission.

Greenhouse gas emissions.

Boston,—land.

Utilities,— construction contracts.

By the same member, for the same committee, on a petition, a Bill relative to transparency in private utility construction contracts (House, No. 3281).

By the same member, for the same committee, on a petition, a Bill relative to reasonable municipal expense reimbursement (House, No. 3286).

By the same member, for the same committee, on a petition, a Bill relative to reduce [sic] administrative burden for government and industry (House, No. 3358).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Donahue of Worcester, for the committee on Cannabis Policy, on House, No. 3710, a Bill to facilitate the unionization of the cannabis workforce (House, No. 4545).

By Mr. Ryan of Boston, for the committee on Election Laws, on House, No. 4285, a Bill relative to recall elections in the town of Granby (House, No. 4549) [Local Approval Received].

By Mr. Domb of Amherst, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to improving pesticide protections for Massachusetts schoolchildren (House, No. 926).

By the same member, for the same committee, on a petition, a Bill relative to the Office of the State Climatologist (House, No. 4062) [Senator Fattman dissenting].

By Mr. Rogers of Cambridge, for the committee on Higher Education, on House, Nos. 1353 and 1356, a Bill protecting public higher education student information (House, No. 4553).

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on House, No. 4 and on a part of House, No. 3, a Bill relative to Chapter 12A (House, No. 4).

By the same member, for the same committee, on a petition, a Bill designating Dysautonomia & POTS awareness month (House, No. 3158).

By the same member, for the same committee, on a petition, a Bill relative to restricted vital records (House, No. 3207).

By the same member, for the same committee, on a petition, a Bill relative to landscape sprinkler systems (House, No. 3230).

By Mr. Roy of Franklin, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill relative to the maximum storage charges on motor vehicles involuntarily towed (House, No. 3290).

By the same member, for the same committee, on a petition, a Bill relative to S-license compliance (House, No. 3295).

By the same member, for the same committee, on a petition, a Bill relative to tow lien reform (House, No. 3299).

By the same member, for the same committee, on a petition, a Bill relative to the town of Danvers electric light division (House, No. 3913) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

The engrossed Bill making certain provisions for the municipal election in the town of Hingham (see Senate bill printed in Senate, No. 2775) (which originated in the Senate) having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having

Id.

Municipalities,—reimbursement.

Towing companies.

Cannabis,—unions.

Granby,—recall elections.

Pesticide protections.

State climatologist.

Student information,—protection.

Inspector General.

Dysautonomia & POTS month.

Public records,—accessibility.

Landscape sprinklers.

Towed vehicles,—charges.

Security systems contracts.

Tow lien,—reform.

Danvers,— light department.

Hingham,—elections.

agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

Renaming the board of selectmen in the town of Hingham to the select board (see Senate, No. 2588) (which originated in the Senate);

Bills enacted.

Changing the board of selectmen of the town of Clinton to the select board (see House, No. 2183); and

Authorizing the town of Lancaster to continue the employment of Kevin Lamb (see House, No. 3761);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate amendment of the House Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Hudson (House, No. 4126), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Hudson,—land.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next sitting.

At twenty-four minutes before twelve o'clock noon, on motion of Mr. Muradian of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.